

VZCZCXRO0913
OO RUEHAST RUEHBI RUEHCI RUEHCN RUEHDBU RUEHGH RUEHLH RUEHNEH RUEHPW
RUEHVC
DE RUEHNE #1955/01 2650249
ZNR UUUUU ZZH
O 220249Z SEP 09
FM AMEMBASSY NEW DELHI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8037
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
RUEHOO/CHINA POSTS COLLECTIVE
RUEAIIA/CIA WASHDC
RUEAEPA/HQ EPA WASHINGTON DC
RHEHNSC/NSC WASHDC
RUEHGV/USMISSION GENEVA 8560
RUCNDT/USMISSION USUN NEW YORK 8467
RHEHAAA/WHITE HOUSE WASHDC

UNCLAS SECTION 01 OF 03 NEW DELHI 001955

SIPDIS

E.O. 12958: N/A

TAGS: [PREF](#) [PREL](#) [PHUM](#) [CH](#) [SL](#) [IN](#)

SUBJECT: PRM DAS ROBINSON DISCUSSES STATUS OF TIBETAN, SRI LANKAN, AND URBAN REFUGEES IN INDIA

Summary

1. (SBU) PRM DAS David Robinson held meetings with representatives from the Dalai Lama's Office, the Ministry of External Affairs (MEA), Catholic Relief Services' (CRS), and the United Nations High Commission for Refugees (UNHCR) during his September 4th visit to New Delhi. During these meetings, MEA informed DAS Robinson of plans to issue biometric identity cards to newly-arrived Tibetan students, monks, and nuns and to impose new limitations on all new Tibetan arrivals. Also, CRS shared information on comings and goings at Tamil Nadu camps for Sri Lankan refugees, and UNHCR described their constrained activities in India. End Summary.

Tibetans: CTA Wants Pilgrim Stays Extended, MEA Does Not

2. (SBU) DAS Robinson discussed Tibetan refugee issues with Tempa Tsering, the Dalai Lama's representative to the Government of India (GOI). Tsering said the Central Tibetan Administration (CTA) was concerned that Tibetan newcomers categorized as pilgrims were only given permission to remain in India for 90 days. Tsering explained that the GOI accepted only three categories of newcomers, all of whom arrived via the UNHCR-managed transit process through Nepal. The categories were pilgrims, students, and monks/nuns seeking further training. Tsering acknowledged that the 'pilgrim' category was a catchall encompassing everyone -- including adults beyond school age and families -- who did not fit into the other two groups. He noted that since March 2008, the number of new arrivals had fallen dramatically and that most who did manage to leave Tibet now no longer wished to return. Tsering said the CTA had asked India to agree to renew the pilgrims' 90-day entry permits but that India had not yet agreed. Tsering said that, although India had been a "kind and generous host," opportunities for Tibetans were very limited. He added that the pressure to go abroad was causing some Tibetans to resort to "unethical" actions and that this sort of behavior was contrary to the essence of being Tibetan. He said that opportunities to go abroad legally were very important to the Tibetan community.

GOI Imposing New Requirements

3. (SBU) During a meeting with Sanjay Panda, MEA's director for East Asia with responsibility for Tibetan

refugee issues, he confirmed that the MEA had no intention of agreeing to extend the pilgrims' 90-day permits. He explained that the GOI was concerned that the Tibetans were spreading out all over India, rather than remaining clustered in settlements as the government had always intended. Panda said the GOI had just taken a decision to limit this trend and planned to require new arrivals staying longer than 90 days (students and monks/nuns) to register on arrival and renew the registration annually. Panda said that within a year, the MEA plans to issue biometric identity cards to newly-arrived Tibetans which will indicate status as a student or monk/nun seeking further training. The card will state the completion date for the education or religious training -- with the expectation that the Tibetan would depart India by that date. (Comment: India only formally acknowledges Tibetans who arrived before 1987 as asylees and -- at least for the record -- has labeled everyone else as being temporarily present for religious purposes. Although unlikely to be enforced, this new decision reflects India's discomfort with the evolving nature of the Tibetan presence in India. The decision may also result in greater vulnerability for Tibetans at a time when conditions in Tibet are not conducive to return. End comment.)

Third-Country Resettlement

¶4. (SBU) Panda also confirmed that the GOI would happily support third-country resettlement for Tibetans with refugee identity cards -- but for no one else.

NEW DELHI 00001955 002 OF 003

Panda declared that India had a long-term understanding with resettlement countries that India would not permit undocumented Tibetans or those with temporary status (students, pilgrims, and monks/nuns) to be resettled from India.

Citizenship: Not a Possibility

¶5. (SBU) When queried as to whether the GOI envisioned a path to citizenship for Tibetans, if only for the long-stayers, many of whom are now well into their third generation in India, Panda's response was an emphatic no. He said that there had been a window of opportunity before 2002 for those who arrived by 1987, but that the window had shut and would not reopen. DAS Robinson asked if this didn't keep Tibetans from participating fully in Indian society and limited their access to certain jobs and higher education. Panda confirmed that this was true but appeared indifferent. (Note: Panda appeared even more dismissive of the Chin, who have a substantial presence in Mizoram, as well as New Delhi. Panda said the Chin were not really refugees, they were not "conscious" of government and simply had no concept of borders. End note.)

Sri Lankans: Arrivals Continue, Few Returns

¶6. (SBU) India has provided sanctuary for many years to about 78,000 Tamil refugees housed in camps in Tamil Nadu. DAS Robinson met with CRS Country Director John Shumlansky and the CRS manager of a PRM-funded pilot project to improve housing, water and sanitation in the camps. Due to the sensitive politics surrounding this population -- which receives strong support from the host state of Tamil Nadu but which is also an occasional irritant in India's relationship with Sri Lanka -- India has strictly controlled access to the camps and enforced curfews and other limitations on the population. India has only permitted international NGOs, including CRS, to operate in the camps since 2006 in the wake of the 2004 Tsunami and continues to limit access to the camps; only

one of several recent USG requests to monitor the CRS project has been granted.

¶17. (SBU) CRS reported that responsibility for the camps is divided geographically, with CRS responsible for 40 of the 113 camps. CRS said that although conditions in the camps had improved since 2006, many aspects of the camps still do not meet minimal international standards. CRS said that their pilot project, briefly delayed by bureaucratic obstacles, is now ahead of schedule with the community center, water and sanitation improvements expected to be completed by December.

¶18. (SBU) CRS said that Tamils continue to arrive from Sri Lanka, with 663 newcomers since April 1. CRS said that the Indian Intelligence Bureau had conducted a survey in the camps last month and learned that, at least so far, there was little interest in returning to Sri Lanka. Many refugees were reportedly anxious about the status of their property in Sri Lanka but security issues and the problems of the IDPs in Sri Lanka weighed against returns. The CRS project director, a veteran in the camps, said she thought that Tamil Nadu authorities would support but not press for returns. Interestingly, the project director added that she thought many of the long-staying Tamils would choose to remain in India and that only those who had arrived since 2006 would be anxious to return.

¶19. (SBU) UNHCR confirmed separately that it had assisted with only a handful of repatriations to Sri Lanka during the past year, but said that there is a coordination meeting with the GOI and concerned NGOs planned for October in anticipation of increased refugee interest in assisted repatriation.

UNHCR and Urban Refugees

¶10. (SBU) UNHCR Representative in New Delhi Montserrat Feixas Vihe informed DAS Robinson that UNHCR has no formal status in India and that, as a result, its

NEW DELHI 00001955 003 OF 003

activities are constrained by the GOI. For example, UNHCR is not permitted to assist the Tibetan refugee population and is only permitted to assist with the repatriation of Sri Lankan refugees.

¶11. (SBU) Feixas Vihe explained that UNHCR does provide substantial assistance to New Delhi's large urban refugee population, consisting of 12,000 acknowledged refugees and about 8,000 asylum seekers -- individuals who have not yet received status determinations by UNHCR. She said that there had been a dramatic increase in the number of urban refugees seeking UNHCR's assistance recently, noting that UNHCR had received 250 new requests for registration in March 2008 and 1,250 in March 2009. Feixas Vihe said that although there was no legal framework in India for UNHCR's work, the GOI gave de facto recognition to UNHCR's status determinations and, even, of the interim document UNHCR provides to asylum seekers pending formal status determinations -- a process that often takes a year or more. She reported that UNHCR just initiated a program in July to outsource the first stages of the registration process to an implementing partner. UNHCR anticipates that this will help to identify and assist vulnerable asylum seekers much more quickly.

Focus on In-Country Assistance

¶12. (SBU) Feixas Vihe outlined UNHCR focuses on projects to assist refugees find work in India's "informal economy" and on access to Indian education and

health services. UNHCR does refer relatively small numbers of the most vulnerable urban refugees for third-country resettlement but plans to keep the number small to avoid a "pull factor." UNHCR is anxious to preserve its existing "humanitarian space" and fears that too large a resettlement program could end GOI acceptance of UNHCR's presence in India. DAS Robinson probed whether UNHCR's policy limits the urban refugees to a permanent life in India's underclass and queried, in particular, whether it was appropriate for the unaccompanied minors in the urban refugee population.

Comment: Much Remains to Be Done

113. (SBU) DAS Robinson's meetings in New Delhi highlighted the challenges that many refugees living in India face. UNHCR is understaffed to meet the needs of the urban refugee population and its decision to outsource registration, one of UNHCR's basic functions, reflects this. Although UNHCR has found innovative ways to assist the urban population, it appears resigned to the absence of legal rights for refugees in India. Striving for a legal framework for all refugees in India should remain an important part of USG communications with appropriate Indian government and NGO counterparts. We should also continue to search for avenues that increase monitoring access to the Sri Lankan camps. END COMMENT.

This cable has been cleared by PRM DAS David Robinson.
ROEMER